THE HONOURABLE SRI JUSTICE D.S.R.VARMA

And

THE HONOURABLE SRI JUSTIACE V.ESWARAIAH

W.P.No.794 of 2006

ORDER: (per VE,J)

The petitioner is the owner of the Maxi Cab bearing No.AP.28/W.1191. It is stated that the petitioner purchased the Maxi Cab under hire purchase and obtained Maxi permit from the R.T.A, Ranga Reddy District and the same is valid up to 28-4-2010. While vehicle was plying as a Maxi Cab, it was seized and detained on 6-1-2006 under check report No.1919461 on the ground that the petitioner collected individual fares @ Rs.35, 30 and 25 from each of the ten passengers and was found plying with excess members violating the permit conditions without paying the tax. Accordingly, the said vehicle was seized and kept with the Police Station, Ramachandra Puram, Medak Distroct for safe custody.

When the vehicle is seized by the authorities for violating the permit conditions, it is open for the petitioner to file an application before the 1st respondent/Secretary, R.T.A., Attapur, R.R. District seeking interim custody of the vehicle.

Having regard to the facts and circumstances of the case, the 1st respondent is directed to give interim custody of the vehicle Maxi Cab bearing No.AP.28/W.1191 to the petitioner subject to the condition the petitioner deposits a sum of Rs.5,000/- (rupees five thousand only) in addition to the tax already paid and also files an undertaking that he will produce the vehicle as and when required and shall not alienate or change the nature of the vehicle and shall also pay the tax that will be determined and shall ply the vehicle abiding by the conditions that may be imposed by the authority while passing the order.

Writ petition is accordingly disposed. No costs.

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(D.S.R.VARMA,J)

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(V.ESWARAIAH,J)

10th December, 2006

grk